

copolymer constituent is not crosslinked to form networks, the constituents of said complex are bound by interaction between said opposite charges and between surfactant hydrophobic groups, and with the proviso that when said therapeutic or diagnostic agent is an ionic substance having a net charge opposite to the charge of said block copolymer, the net charge of said therapeutic or diagnostic agent is no more than 10.

A marked-up version of the amended claim is attached.

#### REMARKS

The present application is related to U.S. Application No. 09/445,656. Both applications are directed to compositions for delivery of biological agents comprising, *inter alia*, a supramolecular complex including as constituents a block copolymer having at least one nonionic, water soluble segment and at least one polyionic segment, and at least one charged surfactant having hydrophobic groups, with the charge of the polyionic segment of the block co-polymer being opposite to the charge of the surfactant.

A final rejection was entered in this application and in the '656 application, in which all of the claims were found to be obvious under 35 U.S.C. §103 in view of the combined disclosures of Hubbel et al. (U.S. Patent No. 5,410,016), Ahmad